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REMARKS

In the Non-Final Office Action, Examiner Phan objected to and rejected pending claims 1-6 on various grounds. The Applicant responds to each objection and rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112:

A.   Claim 6 was objected to under 37 C.F.R. §1.75(c) as being of improper independent form for failing to further limit the subject matter of a previous claim

The Applicant has cancelled claim 6 herein without disclaimer or prejudice as to the claimed subject matter of claim 6. Withdrawal of the objection of claim 6 under 37 C.F.R. §1.75(c) as being of improper independent form is therefore respectfully requested.

B.   Claims 1-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,896,539 to *Arimilli* et al. in view of U.S. Patent No. 5,263,163 to *Holt* et al.

The Applicant has thoroughly considered Examiner Phan's remarks concerning the patentability of claims 1-6 over *Arimilli* in view of *Holt*. The Applicant has also thoroughly read *Arimilli* and *Holt*. To warrant this 35 U.S.C. §103(a) rejection of claims 1-6, all the claim limitations recited in independent claims 1, 4 and 5 must be taught or suggested by the combination of *Arimilli* in view of *Holt*. See, MPEP §2143. The Applicant respectfully traverses this 35 U.S.C. §103(a) rejection of claims 1-6, because the combination of *Arimilli* in view of *Holt* fails, among other things, to disclose, teach or suggest:

1.   "a plurality of states (S) passed through in a predetermined manner, a state (S) forming a possibility of access of a given length and

defining an order of priority in accordance with which a function (F) can access the collective resource (RSRC)" as recited in independent claim 1;

2.   "passing through a plurality of states (S) in a predetermined manner, a state (S) forming a possibility of access of a given length and defining an order of priority (PS) in accordance with which a function (F) can access the collective resource (RSRC)" as recited in independent claim 4; and

3.   "a plurality of states (S) passed through in a predetermined manner, a state (S) forming a possibility of access of a given length and defining an order of priority (PS) in accordance with which a processor (P) can access the collective memory (MEM)" as recited in independent claim 5.

Examiner Phan correctly recognized the failure of *Arimilli* to disclose, teach or suggest the above listed limitations of independent claims 1, 4 and 5. A proper understanding of *Holt* however reveals that *Holt* also fails to disclose, teach or suggest the above listed limitations of independent claims 1, 4 and 5.

Specifically, *Holt* discloses an arbitration scheme in managing access to a collective resource involving a "tournament" consisting of passing through several arbitration cycles in a predetermined manner whereby the winner of the tournament becomes the next in line to gain access to the collective resource. See, *Holt* at column 6, lines 31-39. As illustrated in FIG. 8 of *Holt*, an arbitration cycle 1 separates the participating users by a priority of the messages. Unlike the present invention wherein the state (i.e., arbitration cycle) defines the priority of the messages, message priority under *Holt* is defined by each user's send buffers 20 and 2 (FIG. 1) and is dependent on message content and related urgency. See, *Holt* at column 14, lines 30-34. Thus, the arbitration cycle 1 of *Holt* clearly does not define the priority of the messages. *Holt* therefore clearly does not disclose, teach or suggest "a state (S) ... defining an order of priority in accordance with which a function (F) can access the

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collective resource (RSRC)" as recited in independent claim 1, "a state (S) ... defining

an order of priority (PS) in accordance with which a function (F) can access the

collective resource (RSRC)" as recited in independent claim 4, and "a state (S) ...

defining an order of priority (PS) in accordance with which a function (F) can access

the collective memory (MEM)" as recited in independent claim 5.

 To better differentiate the present invention of *Arimilli, Holt* and the remaining

art of record, the Applicant has cancelled claims 1-6 herein and added claims 7-10.

The Applicant respectfully asserts that *Arimilli, Holt* and the remaining art of record,

in combination, fail to disclose, teach or suggest the following limitations of

independent claims 7-10:

1. "wherein at least one state includes <u>a pre-defined order of priority</u>
<u>for facilitating access to said collective resource by one of said functional</u>
<u>units among at least two of said functional units</u>" as recited in independent
claim 7;

2. "wherein at least one state includes <u>a pre-defined order of priority</u>
<u>for facilitating access to said collective memory by one of said processors</u>
<u>among at least two of said processors</u>" as recited in independent claim 8;

3. "for at least one state, computer readable code for <u>pre-defining an</u>
<u>order of priority for facilitating access to the collective resource by one of</u>
<u>the functional units among at least two of the functional units</u>" as recited
in independent claim 9; and

4. "implementing a first state having <u>a pre-defined order of priority</u>
<u>for facilitating access to the collective resource by one of the functional</u>
<u>units among at least two of the functional units</u>" as recited in independent
claim 10.

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The Applicant therefore respectfully requests a withdrawal of the rejection of

claims 1-6 under 35 U.S.C. §103(a) as being unpatentable over *Arimilli* in view of

Holt, and an allowance of claims 7-10 over the art of record.

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SUMMARY

Examiner Phan's §1.75(c) objection of claim 6 and §103(a) rejection of claims 1-6 have been obviated by the cancellation herein of claims 1-6. The Applicant has supported the patentability of new claims 7-10 over the art of record. The Applicant respectfully submits that claims 7-10 added herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Phan is respectfully requested to contact the undersigned at the telephone number listed below.
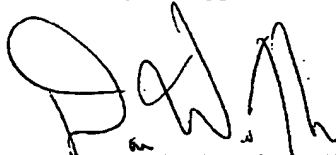
Dated: **June 4, 2003**

Respectfully submitted,
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